

**DECLARATION UNDER 37 CFR § 1.47 AND 37 CFR § 1.64  
REGARDING NON-SIGNING INVENTOR**

I, Matthew Ward, hereby declare as follows:

1. I am an Australian Registered Patent Attorney and NSW Solicitor, practicing at the firm of Shelston IP in Sydney Australia.
2. Shelston IP, in conjunction with the Intellectual Property Law Office of Joel Voelzke, has responsibility of the prosecution of United States Patent Application Serial No. 10/539,655 entitled AN ELONGATED ELECTRICAL CONDUCTOR THAT IS ADAPTED FOR ELECTRICALLY CONNECTING WITH AN ELECTRICAL CONTACT (the '655 application).
3. Some time ago, it was brought to my attention that Mr John Ashton Sinclair had refused to sign an inventors declaration in respect of the '655 application.
4. On 8 July 2008, I sent an email to Mr Sinclair. In this email, I asked Mr Sinclair to sign an inventors' declaration, which was also attached to the email. This declaration had previously been executed by the three remaining inventors. A copy of this email, with attachments, is attached hereto as **Exhibit 1**.
5. On 9 July 2008, I received a response from Mr Sinclair, and subsequently exchanged several further emails with Mr Sinclair. As demonstrated by the emails, Mr Sinclair refuses to sign the inventors' declaration. Copies of the my most recent emails with Mr. Sinclair, in which Mr. Sinclair refuses to sign the declaration, are attached as **Exhibit 2**.
6. I am advised that Mr. Sinclair's last known address is:

John Aston Sinclair  
Lot 1731 Comboyne  
Killback via Wingham, New South Wales 2429  
Australia

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 15 July, 2008

  
Matthew Ward

# Exhibit 1

**From:** Matthew Ward [MatthewWard@ShelstonIP.com]  
**Sent:** Monday, July 07, 2008 10:41 PM  
**To:** johnashtonsinclair@hotmail.com  
**Subject:** United States Patent Application No. 10/539655 Our Ref: 37571USP00



Letter to Mr Sinclair.pdf (77 ...



Declaration (signed by 3 of 4 ...

Dear Mr Sinclair,

Please see the attached letter.

If you have any questions, or refuse to sign the attached declaration, please let me know as soon as possible.

Regards,

Matthew Ward, Associate  
Registered Australian Patent Attorney

Shelston IP  
Level 21  
60 Margaret Street  
Sydney NSW 2000  
Telephone +61 2 9777 1111  
Fax: +61 2 9241 4666  
Email: matthewward@ShelstonIP.com  
Web: www.ShelstonIP.com

<<Letter to Mr Sinclair.pdf>> <<Declaration (signed by 3 of 4 inventors).pdf>>

**Confidential Communication**  
Email: [johnashtonsinclair@hotmail.com](mailto:johnashtonsinclair@hotmail.com)  
Confirmation by Mail

ABN 58 855 816 942

Mr John Aston Sinclair  
Lot 1731 Comboyne  
Killback via Wingham, New South Wales 2429  
Australia

8 July 2008

Our Ref: 37571USP00

Dear Mr Sinclair

**United States Patent Application No. 10/539655**  
**Power & Communications Logistics Pty Limited**  
**Title: An Elongate Electrical Conductor that is Adapted**  
**for Electrically Connecting with an Electrical Contact**

I am assisting Jack Redfern with this matter.

As you know, you have been named as an inventor in respect to the above US patent application. Please find attached an inventors' Declaration for your execution.

I presume you are happy to sign this document. However, if you refuse to sign, please let me know at the earliest possible opportunity.

Any comments or enquiries you may have are welcomed.

Yours sincerely  
**Shelston IP**



**Matthew Ward**  
Associate

Email: [matthewward@ShelstonIP.com](mailto:matthewward@ShelstonIP.com)

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**General**  
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Internet: [www.ShelstonIP.com](http://www.ShelstonIP.com)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Attorney Docket No. : 123-003  
First Named Inventor: : John Ashton SINCLAIR  
Application No. : 10/539,655  
Filing Date : June 14, 2005  
Art Unit :  
Examiner's Name: :  
Customer Number: : 47533

**DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION,  
AND POWER OF ATTORNEY (WITH AUTHORIZATION RE AGENT)**

☐ Declaration Submitted with Initial Filing      *OR*      ☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)

As a below named inventor, I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to his/her name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled **AN ELONGATED ELECTRICAL CONDUCTOR THAT IS ADAPTED FOR ELECTRICALLY CONNECTING WITH AN ELECTRICAL CONTACT**, the specification of which:

☐ is attached hereto

*OR*

☒ was filed on June 14, 2005 as U.S. Application No. 10/539,655

☐ and was amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

**CLAIM FOR FOREIGN PRIORITY**

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Priority Date (MM/DD/YY)	Priority Claimed?
2002953429	Australia	12/18/2002	Yes
AU2003001691	PCT	12/18/2003	Yes

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that

willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

### POWER OF ATTORNEY

I appoint the following as my attorneys with full power of substitution and revocation, to prosecute said application and all continuations, continuations-in-part, and divisional applications associated therewith, and to transact in connection therewith all business in the Patent and Trademark Office and before competent International Authorities:

☒ The attorneys associated with PTO Customer No. 47533

Please address all correspondence to:

Joel D. Voelzke  
INTELLECTUAL PROPERTY LAW OFFICE OF JOEL D. VOELZKE  
400 Corporate Pointe, Suite 300  
Culver City, California 90230  
Telephone: (310) 590-4525  
Facsimile: (310) 590-4526

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

Full name of sole or first inventor: John Ashton SINCLAIR	
Inventor's signature _____	Date _____
Residence (city, state, country): Killback via Wingham, New South Wales, Australia	
Citizenship: Australia	
Post Office Address: Lot 1731 Comboyne	
City/State/Zip: Killback via Wingham, New South Wales, 2429	
Country: Australia	
Full name of second inventor: Jaroslav Emil HABA	
Inventor's signature <u>J. E. Haba</u>	Date <u>14/9/2005</u>
Residence (city, state, country): Erina, New South Wales, Australia	
Citizenship: Australia	
Post Office Address: 40 Thames Drive	
City/State/Zip: Erina, New South Wales, 2250	
Country: Australia	
Full name of third inventor: Kevin TRUSKETT	
Inventor's signature <u>K. Truskett</u>	Date <u>14-9-2005</u>
Residence (city, state, country): Kincumber, New South Wales, Australia	
Citizenship: Australia	
Post Office Address: 5 Mynah Close	
City/State/Zip: Kincumber, New South Wales, 2251	
Country: Australia	
Full name of fourth inventor: Jeffrey Allan JACKSON	
Inventor's signature <u>J. A. Jackson</u>	Date <u>14/9/2005</u>
Residence (city, state, country): Gisborne, Victoria, Australia	
Citizenship: Australia	
Post Office Address: 29 Outlook Lane	
City/State/Zip: Gisborne, Victoria, 3437	
Country: Australia	

# Exhibit 2

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Subject: RE: United States Patent Application No. 10/539655 Our Ref: 37571USP00  
Date: Wed, 9 Jul 2008 12:58:05 +1000  
From: MatthewWard@ShelstonIP.com  
To: johnashtonsinclair@hotmail.com

Hi John,

Thanks for that - I'll liaise with my client.

Regards,  
Matthew Ward, Associate  
Registered Australian Patent Attorney

Shelston IP  
Level 21  
60 Margaret Street  
Sydney NSW 2000  
Telephone +61 2 9777 1111  
Fax: +61 2 9241 4666  
Email: matthewward@ShelstonIP.com  
Web: www.ShelstonIP.com

-----Original Message-----

From: john sinclair [mailto:johnashtonsinclair@hotmail.com]  
Sent: Wednesday, 9 July 2008 12:50 PM  
To: Matthew Ward  
Subject: RE: United States Patent Application No. 10/539655 Our Ref: 37571USP00

Thanks again Mattew I'd say that summarise it Regards John

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Subject: RE: United States Patent Application No. 10/539655 Our Ref: 37571USP00  
Date: Wed, 9 Jul 2008 12:42:27 +1000  
From: MatthewWard@ShelstonIP.com



To: johnashtonsinclair@hotmail.com

Hi John,

I'd ideally like at least to get some form of closure in the short terms, if possible, just so I know where we all stand. Can I summarise the position as follows?

- \* You dispute the accuracy of the declaration, for the reasons discussed below.
- \* For those reasons, you are not present prepared to sign the declaration.
- \* You are open to the possibility of negotiating with my client..

Does this accurately reflect where we stand at the present moment?

Regards,  
Matthew Ward, Associate  
Registered Australian Patent Attorney

Shelston IP  
Level 21  
60 Margaret Street  
Sydney NSW 2000  
Telephone +61 2 9777 1111  
Fax: +61 2 9241 4666  
Email: matthewward@ShelstonIP.com  
Web: www.ShelstonIP.com

-----Original Message-----

From: john sinclair [mailto:johnashtonsinclair@hotmail.com]  
Sent: Wednesday, 9 July 2008 12:29 PM  
To: Matthew Ward  
Subject: RE: United States Patent Application No. 10/539655 Our Ref: 37571USP00

Thanks Matthew

Can you give me a couple of weeks? Perhaps your client can negotiate with me?

Regards

John Sinclair

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Subject: RE: United States Patent Application No. 10/539655 Our Ref: 37571USP00  
Date: Wed, 9 Jul 2008 10:23:39 +1000  
From: MatthewWard@ShelstonIP.com  
To: johnashtonsinclair@hotmail.com

Hi John,